

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MICHAEL DICKERSON,

Plaintiff,

-against-

COMMISSIONER OF SOCIAL SECURITY,

Defendant.
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JUDGMENT
05-CV- 2552 (FB)

A Memorandum and Order of Honorable Frederic Block, United States District Judge, having been filed on August 15, 2006, remanding the case for further proceedings in accordance with this Memorandum and Order; directing that on remand, the Administrative Law Judge must develop a full and adequate record with respect to plaintiff's complaints of chronic headaches, shortness of breath and repeated incidents of passing out or falling down during the period leading up to the November 26, 2004, decision to deny benefits; ordering that the Administrative Law Judge must further develop a complete list of plaintiff's medically determinable impairments, and must determine whether those impairments, considered individually as well as collectively, satisfy the criteria for a *per se* disability; and finally, the Administrative Law Judge must determine (based, if necessary, on testimony from a vocational expert or other similar evidence) whether, despite all limitations, plaintiff can still perform work existing in the national economy; it is

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ORDERED and ADJUDGED that the case is remanded for further proceedings in accordance with this Memorandum and Order; that on remand, the Administrative Law Judge must develop a full and adequate record with respect to plaintiff's complaints of chronic headaches, shortness of breath and repeated incidents of passing out or falling down during the period leading up to the November 26, 2004, decision to deny benefits; that the Administrative Law Judge must further develop a complete list of plaintiff's medically determinable impairments, and must determine whether those impairments, considered individually as well as collectively, satisfy the criteria for a *per se* disability; and finally, that the Administrative Law Judge must determine (based, if necessary, on testimony from a vocational expert or other similar evidence) whether, despite all limitations, plaintiff can still perform work existing in the national economy.

Dated: Brooklyn, New York
August 16, 2006

ROBERT C. HEINEMANN
Clerk of Court